

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No
PCT/IL2005/000157

International filing date (day/month/year)
09.02.2005

Priority date (day/month/year)
09.02.2004

International Patent Classification (IPC) or both national classification and IPC
B65B53/02, B29C55/06, B65D75/00, B32B27/32

Applicant
POLYSACK PLASTIC INDUSTRIES LTD

1. This opinion contains indications relating to the following items:

- ☒ Box No I Basis of the opinion
- ☐ Box No II Priority
- ☐ Box No III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No IV Lack of unity of invention
- ☒ Box No V Reasoned statement under Rule 43bis 1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No VI Certain documents cited
- ☐ Box No VII Certain defects in the international application
- ☐ Box No VIII Certain observations on the international application

2 FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66 1b(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3 For further details, see notes to Form PCT/ISA/220

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
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Box No. I Basis of the opinion

- 1 With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
- 4 Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Statement

Novelty (N)	Yes: Claims	
	No: Claims	25-28
Inventive step (IS)	Yes: Claims	
	No: Claims	1-24,29-31
Industrial applicability (IA)	Yes: Claims	1-31
	No: Claims	

2 Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
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AUTHORITY (SEPARATE SHEET)**

PCT/IL2005/000157

Re Item V.

1. Reference is made to the following documents:

D1 = US-A-5 234 731
D2 = EP-A-1 095 758
D3 = US-A-4 059 400
D4 = EP-A-1 120 347
D5 = DE-A-38 21 164

2. D1 discloses a method for wrapping an article with a heat shrinkable polymeric film comprising
- a) providing a polymeric film produced by a process including stretching said film mainly in its longitudinal direction to obtain a heat shrinkable polymeric film;
 - b) surrounding at least a portion of the outer surface of said article with a portion of said heat shrinkable film; and
 - c) heating said heat shrinkable film so as to shrink it about said article.

The method according to claim 1 differs from this prior art in that the stretching is carried out by means comprising at least one pair of rollers rotating in mutually different linear velocities, the gap between the rollers being at least 10 times smaller than the width of said film.

The problem underlying the present invention can thus be seen in improving the stretching step in order to avoid contraction in the transversal direction while stretching in the longitudinal direction.

It well known in the art (see for instance D2) that the so called "short gap stretching method" solves this problem. It would be obvious to the person skilled in the art, namely when the same result is to be achieved, to apply this stretching method with corresponding effect to a method according to document D1, thereby arriving at a method according to claim 1.

The present application does not meet the criteria of Article 33(1) PCT, because the

subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

3. For the same reasons the subject-matter of claim 16 also does not involve an inventive step.
4. It should be clear for anybody skilled in the art that the method according to claim 1, which does not involve an inventive step in the light of D1 and D2, is suitable for protecting an article from damaging radiation or for lengthening the shelf life of a product. Consequently the subject-matter of claims 19 and 20 also does not involve an inventive step.
5. The film used in D1 is a heat shrinkable multilayer film (col. 4, lines 50-55). For the same reasons as given for claim 1 above, the the subject-matter of claim 21 does not involve an inventive step.
6. Polyolefin sheets unidirectionally shrunk to less than 50 % are of common use in the art, see for instance D3, col. 3, lines 44-48.

The subject-matter of claims 25 and 27 in consequently not new in the sense of Article 33(2) PCT.

7. Articles having a circumference in a first location which is 50% smaller than the circumference in a second location are well known. It is clear that such articles can be wrapped with a polymeric sheet in a wrap around method, for instance using an apparatus as disclosed in D4 (see figure 3) or D5 (see Claim 1).

The subject-matter of claim 29 thus does not involve an inventive step.

8. For the same reasons also the subject-matter of claim 30 thus does not involve an inventive step.
9. The dependent claims 2-15, 17,18,22-24, 26,28,31 concern features which are well known in the art or which are adaptations falling within the scope of ordinary practice

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followed by the skilled person, such that these claims do not appear to contain any additional features which involve an inventive step when combined with the subject matter of any claim to which they refer.